

United States Senate

WASHINGTON, DC 20510

March 26, 2012

WCB
USF-ICC
0447

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Genachowski:

I am writing to commend you on the Commission's recent adoption of rules to modernize the federal Lifeline program and to request a modification in the final order.

The Lifeline program has historically made access to the public telecommunications networks affordable for our neediest citizens. The ability to access healthcare providers, potential and current employers, police and other emergency services and to contact and be contacted by family and friends is critically important to all citizens, particularly those of modest means.

I applaud the many important reforms to the Lifeline program you have approved, including the changes that will enable participating carriers to identify and prevent waste, fraud, and abuse of limited Universal Service Fund resources. The revised verification requirements, non-usage de-enrollment rules, and the establishment of data bases to detect and prevent duplicate Lifeline enrollment will ensure that only qualified persons receive Lifeline benefits to which they are entitled and will protect the resources of the Fund.

There is, however, one reform that I am asking the FCC to reconsider and modify. I am concerned about the requirement that applicants for Lifeline service produce documentation of their enrollment in Lifeline-qualifying programs such as Medicaid, the Supplemental Nutritional Assistance Program, or the Low Income Home Energy Assistance Program if they reside in states which do not yet allow Lifeline providers to access state program databases. I realize that some states already allow access to such databases and that the Commission is proposing that a national eligibility database be available by year end 2013. However, for the next one to two years, many eligible low income consumers will be unable to enroll in Lifeline as a result of this proposed requirement.

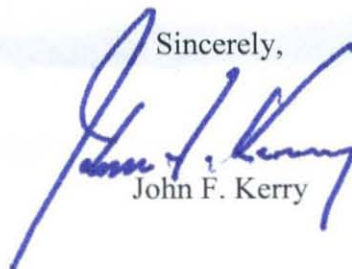
Massachusetts does not currently require consumers to produce such documentation. However, I understand that in the several states which do require such documentation to be provided, far fewer *qualified* needy households enroll in Lifeline than in other states. This is understandable and not surprising. Not only is such documentation often not readily available, even where the documents are in the possession of the Lifeline applicant, without access to copy machines, fax machines, scanners, and Internet access computers, there is no practical way to submit the documentation.

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With a real solution -- a national eligibility database -- on the horizon, I urge you to postpone implementation of this burdensome requirement for at least one year so that states and providers can work together to enter into arrangements to enable the providers to use state data bases for the limited purpose of determining consumers' eligibility for Lifeline support going forward.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "John F. Kerry", is written over the printed name. The signature is stylized with a large initial "J" and a long, sweeping underline.

John F. Kerry

Cc: The Honorable Robert McDowell

The Honorable Mignon Clyburn



FEDERAL COMMUNICATIONS COMMISSION

June 15, 2012

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable John F. Kerry
United States Senate
218 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Kerry:

Thank you for your letter encouraging the Commission to postpone implementation of the new Lifeline eligibility certification requirements. I value your views and appreciate your support for the Commission's efforts to eliminate the waste and abuse in this important program. Your letter will be included in the Lifeline reform proceeding record for Commission consideration.

As you have noted, the Commission has made some tough choices in reforming the Lifeline program. In the certification requirement in the *Lifeline Reform Order*, the Commission balanced the urgent need to stem waste and abuse with the potential additional burden on certain consumers to obtain a Lifeline-supported service. After careful consideration, the Commission unanimously adopted the eligibility certification requirement as an interim step to verify the eligibility of all Lifeline recipients while it transitions to a national eligibility database. Providers have since developed a number of innovative solutions to ensure compliance with the requirement while minimizing consumer burden, while a national eligibility database is developed. The savings from the improved accountability among other things, are allowing the Commission to lay the groundwork for modernizing the Lifeline program to include broadband service, which we agree is critical for low-income Americans to benefit from the twenty-first century economy. Our steps are also ensuring a strong foundation for a strong and lasting Lifeline program.

I look forward to working with you further as the Commission continues its efforts to advance access to telecommunications and broadband for all Americans. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in dark ink, appearing to be "J. Genachowski", is written over a horizontal line.

Julius Genachowski